

RCCI CIVIL RIGHTS COMPLIANCE



CHAPTER 17

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CIVIL RIGHTS COMPLIANCE

This chapter discusses program policies regarding civil rights in the administration of the National School Lunch, School Breakfast, and Special Milk Programs. This chapter in this RCCI manual does not contain Civil Rights information pertaining to the collection and use of participant meal applications. If you require information on Civil Rights with the use of participant meal applications please go to the Idaho School Food Service Manual.

FNS Instruction 113-1 outlines each sponsor's responsibility regarding civil rights compliance in the RCCI food service programs. This unit outlines specific responsibilities, requirements, and procedures for federally-assisted programs to ensure federal, state, and local compliance with the provision of Title VI of the Civil Rights Act of 1964, as amended, Title IX of the Education Amendments of 1972, and Section 504 of the Rehabilitation Act of 1973.

Responsibilities of the Sponsor

- SFAs are responsible for training "Frontline Staff" in Civil Rights compliance on an annual basis. See FNS Instruction 113-1 for current regulations.
- Follow procedures and maintain any information on Civil Rights complaints and resolutions.
- To maintain on file the racial/ethnic makeup of the children applying for and participating in the program.
- Make substitutions in the regular meal patterns for those children who are considered disabled under 7 CFR 15b and whose handicap restricts their diet in such a way that they cannot fully participate in the food service program without some modification. (See Chapter 14).

Data Collection

Collect and maintain racial/ethnic participation documentation.

- Methods include staff observation or voluntary self-identification by residents on enrollment or admission forms.

Maintain all program information for three years plus the current year. Safeguards should be exercised to ensure the data is available only to authorized personnel.

- Data collection required for civil rights compliance report on CNP 2000 due October 15th on data collection as of October 1st.

Program Operations

Program operations should not discriminate against participants based on race, color, national origin, sex, age, or disability.

- Examples include seating arrangements, serving lines, services and facilities, or assignment of eating period.

Public Notification

Display in a prominent place the current USDA poster containing the nondiscrimination statement and the federal procedure for filing a complaint.

- Posters may be obtained by contacting Idaho State Department of Education, Child Nutrition Programs, P.O. Box 83720, Boise, ID 83720-0027 (208)332-6820.

Include the following nondiscrimination statement and complaint procedures on all printed school nutrition program informational materials:

“In accordance with Federal law and U.S. Department of Agriculture policy, this institution is prohibited from discriminating on the basis of race, color, national origin, sex, age, or disability.

To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, 1400 Independence Avenue, SW, Washington, D.C. 20250-9410 or call (800) 795-3272 or (202) 720-6382 (TTY). USDA is an equal opportunity provider and employer.”

If the material is too small to permit the full statement to be included, the material must include the following statement in print no smaller than the text:

“USDA is an equal opportunity provider and employer.”

- Display the current nondiscrimination poster at each site in a prominent place where reimbursable meals are served.
- Examples of printed program informational materials include brochures or community publications and public releases.

Provide information in the appropriate translation concerning the availability and nutritional benefits of the school nutrition program, as needed.

- This requirement can be met through the use of bilingual staff members, volunteers, and/or informational materials in appropriate languages.

Provide school nutrition program information to the parents and local minority and grass-roots organizations upon request.

- Examples include letters, brochures, and public releases.

Develop and Implement a Procedure to Process Civil Rights Complaints

- A civil rights complaint procedure must be developed by the School Food Authority.
- All complaints, written or verbal, shall be accepted by the sponsor and forwarded to the Child Nutrition Programs Division, Idaho State Department of Education.

- In the event of a verbal complaint, the person receiving the allegation shall write up the complaint to include as much of the following information as possible:
 - Name, address, and telephone number or other means of contacting the complainant. (See page 17.6 for a complaint form).
 - The specific location and name of the entity delivering the program service or benefit.
 - The nature of the incident(s) or action(s) that lead the complaint to be filed.
 - The basis on which the complainant feels discrimination has occurred, i.e., race, color, national origin, sex, age or disability.
 - The names, titles and addresses of persons who may have knowledge of the discriminatory action.
 - The date(s) during which the alleged discriminatory action occurred, or if continuing, the duration of such actions.



“And Justice For All”



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Civil Rights Compliance

Sponsor Name	Participant Number	Federal ID(EIN)	Year

The United States Department of Agriculture regulations outline each institution's responsibility regarding Civil Rights compliance in their nutrition programs. The following checklist furnishes a quick overview of the requirements:

	YES	NO
1. Do all forms of communication and printed program materials include the following elements?		
a.) The required nondiscrimination statement? (as stated below)	<input type="checkbox"/>	<input type="checkbox"/>
b.) Where a complaint may be filed?	<input type="checkbox"/>	<input type="checkbox"/>
2. Is the current "...AND JUSTICE FOR ALL" poster displayed prominently in all service areas (sites and applicable administrative offices)?	<input type="checkbox"/>	<input type="checkbox"/>
3. Does your institution provide materials and appropriate translations of written materials as needed, to all participants, potential participants, families and local minority and grassroots organizations about program benefits and services (press release, parent letters, Free & Reduced Applications, etc.)?	<input type="checkbox"/>	<input type="checkbox"/>
4. Are program records on file for 3 years plus current year?	<input type="checkbox"/>	<input type="checkbox"/>
5. Does your civil rights complaint procedure include the following elements?		
a.) Does your institution have a written civil rights complaint procedure?	<input type="checkbox"/>	<input type="checkbox"/>
b.) Do staff members receive training on the civil rights complaint procedure?	<input type="checkbox"/>	<input type="checkbox"/>
c.) Do staff members understand the procedures for receiving and forwarding an alleged civil rights complaint?	<input type="checkbox"/>	<input type="checkbox"/>
d.) Is a civil rights complaint log maintained at all sites or a procedure in place to document complaints at a central location?	<input type="checkbox"/>	<input type="checkbox"/>
6. Has your institution received a written or verbal complaint in the previous year regarding race, color, national origin, sex, age, or disability?	<input type="checkbox"/>	<input type="checkbox"/>
a.) Was it forwarded to the State Agency within three days?	<input type="checkbox"/>	<input type="checkbox"/>

Using information from the Free and Reduced Applications, report ethnic and racial data for Actual Participation here:
If there are no participants of an ethnic or racial group, place a zero in the box.

ALL SITES COMBINED:

Ethnic Group	Total No. of Participants Approved for Free and Reduced Price Meals	No. Denied
Hispanic or Latino	<input type="text"/>	<input type="text"/>
Not Hispanic or Latino	<input type="text"/>	<input type="text"/>
Racial Group		
Black or African American	<input type="text"/>	<input type="text"/>
Asian	<input type="text"/>	<input type="text"/>
American Indian or Alaska Native	<input type="text"/>	<input type="text"/>
Native Hawaiian or Other Pacific Islander	<input type="text"/>	<input type="text"/>
White	<input type="text"/>	<input type="text"/>
Not marked on application	<input type="text"/>	<input type="text"/>
TOTAL CHILDREN	<input type="text"/>	<input type="text"/>

CURRENT CIVIL RIGHTS STATEMENT

In accordance with Federal law and U.S. Department of Agriculture policy, this institution is prohibited from discriminating on the basis of race, color, national origin, sex, age, or disability.

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Created By:	Created Date:	Modified By:	Modified Date:
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DISCRIMINATION COMPLAINT FORM

1. Your name: _____
2. Your address: _____
3. Your telephone: _____
4. List other ways to contact you: _____
5. Name and address of person(s) or organizations you are filing a complaint against:

6. Tell what incidents happened that made you feel you had been discriminated against and the dates they occurred: _____

7. State on what basis you feel discrimination exists (race, color, national origin, sex, age, or disability):

8. List names, titles, and addresses of persons who may have knowledge of the actions given in #6 above:

Name:	Title:	Address:
a. _____	_____	_____
b. _____	_____	_____
c. _____	_____	_____
d. _____	_____	_____

(All complaints, written or verbal, shall be accepted by the sponsor and forwarded to the Child Nutrition Programs Division, Idaho State Department of Education)